

Controller's Office

To the Honorable Mayor and City Council of the City of Houston:

I hereby certify, with respect to the money required for the contracts, agreements, obligation or expenditure contemplated by the ordinance set out below that:

() Funds have been encumbered out of funds previously appropriated for such purpose.

() Funds have been certified and designated to be appropriated by separate ordinance to be approved prior to the approval of the ordinance set out below.

() Funds will be available out of current or general revenue prior to the maturity of any such obligation.

() No pecuniary obligation is to be incurred as a result of approving the ordinance set out below.

() That the money required for the expenditure or expenditures specified below is in the treasury, in the fund or funds specified below, and is not appropriated for any purposes.

() A certificate with respect to the money required for the expenditure or expenditures specified below is attached hereto and incorporated hereby by this reference.

(✓) Other - Grant Funds Available

Date: 2-5, 2018

Jennell Hill
City Controller of the City of Houston

ms
5000-3200-520159
5000-3200-520159

FUND REF:

AMOUNT: 8,200,000.00 ENCUMB. NO.: FR 3-4379

ke
024614684-4674693

46-14695

46-14698

City of Houston, Texas, Ordinance No. 2018- 84

① AN ORDINANCE AUTHORIZING AN AMENDMENT TO ORDINANCE NO. 2018-56, PASSED AND ADOPTED BY CITY COUNCIL ON JANUARY 24, 2018, TO PROVIDE FOR AN ADDITIONAL ALLOCATION OF \$8,200,000 IN COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS AND \$10,800,000 IN COMMUNITY DEVELOPMENT BLOCK GRANT-DISASTER RECOVERY (CDBG-DR) FUNDS TO THE MASTER CONTRACTOR AGREEMENTS, THEREBY INCREASING THE MAXIMUM AMOUNT OF EACH MASTER CONTRACTOR AGREEMENT, AND TO ALLOW THE MASTER CONTRACTOR AGREEMENTS TO BE USED IN CONNECTION WITH BOTH THE HOME REPAIR PROGRAM (REPAIR/CONSTRUCTION/RECONSTRUCTION) AND SINGLE-FAMILY HOME DEVELOPMENT (NEW CONSTRUCTION); CONTAINING FINDINGS AND

PROVISIONS RELATED TO THE FOREGOING SUBJECT; AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to Ordinance No. 2018-56, passed and adopted by the City Council of the City of Houston ("City Council") on January 24, 2018, City Council authorized and approved a form of a Master Contractor Agreement ("Agreement") for use with the City of Houston Home Repair Program ("HRP"); authorized a list of twelve contractors ("Contractors") that may participate in the HRP; authorized and approved the form of a Home Repair Program Rehabilitation and Reconstruction Tri-Party Agreement ("Tri-Party Agreement") to be executed by the City, a Contractor and the owner or occupant of a single-family structure who qualifies for participation in the HRP; authorized the Mayor to execute a Master Contractor Agreement with each Contractor and Tri-Party Agreements between a Contractor, the City and each owner occupant of a single-family structure; allocated the sum of \$10,000,000 out of the Tax Increment Reinvestment Zone Affordable Housing Fund to the aforementioned Agreements, and provided a maximum contract amount; and

WHEREAS, the Housing and Community Development Department ("HCDD") now requests City Council to approve and authorize an amendment to Ordinance No. 2018-56 to provide for an additional allocation of \$8,200,000 in Community Development Block Grant (CDBG) funds and \$10,800,000 in Community Development Block Grant Disaster Recovery (CDBG-DR) funds to the Master Contract Agreements and related Tri Party Agreements, thereby increasing the amount of the Master Contractor Agreements, from \$833,333 per Agreement, to up to \$2,416,666.67 per Agreement; and

WHEREAS, HCDD also requests City Council to further amend Ordinance No. 2018-56 to allow the Contractors and Master Contractor Agreements authorized and approved under Ordinance No. 2018-56 to be used in both the Home Repair Program (repair/construction/reconstruction) and Single-Family Home Development (new construction); and

WHEREAS, HCDD has determined the activities under the Master Contractor Agreements and Tri-Party Agreements and the expenditures of the above referenced additional amounts, will continue to serve a public purpose and are in the best interest of the City and its residents; **NOW THEREFORE**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HOUSTON, TEXAS:

Section 1. That the findings and recitals contained in the preamble of this Ordinance are determined to be true and correct and are hereby adopted as part of this Ordinance.

Section 2. That the City Council hereby authorizes this amendment to Ordinance No. 2018-56 to allocate an additional \$8,200,000 in CDBG funds and \$10,800,000 in CDBG-DR funds, thereby increasing the amounts of the Master Contractor Agreements from \$833,333 per Agreement, to up to \$2,416,666.67 per Agreement, to pay costs identified in the Master Contractor

Agreements and the related Home Repair Program Rehabilitation and Reconstruction Tri-Party Agreements.

Section 3. That the City Council hereby also authorizes a further amendment to Ordinance No. 2018-56 to allow the Contractors and Master Contractor Agreements authorized and approved under Ordinance No. 2018-56 to be used in both the Home Repair Program (repair/construction/reconstruction) and Single-Family Home Development (new construction).

Section 4. The maximum amount of all the contracts, agreements or other undertakings collectively approved and authorized under Ordinance No. 2018-56, as amended hereby, shall never exceed the total amount of \$29,000,000, unless and until this sum is increased by ordinance of City Council.

Section 5. That, if any provision, section, subsection, sentence, clause, or phrase of this Ordinance, or the application of same to any person or set of circumstances, is for any reason held to be unconstitutional, void or invalid, the validity of the remaining portions of this Ordinance or their application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the City Council in adopting this Ordinance that no portion hereof or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality, voidness or invalidity of any other portion hereof, and all provisions of this Ordinance are declared to be severable for that purpose.

Section 6. There exists a public emergency requiring that this Ordinance be passed finally on the date of its introduction as requested in writing by the Mayor; therefore, this Ordinance shall be passed finally on such date and shall take effect immediately upon its passage and approval by the Mayor; however, in the event that the Mayor fails to sign this Ordinance within five days after its passage and adoption, it shall take effect in accordance with Article VI, Section 6, Houston City Charter.

PASSED AND ADOPTED this 7th day of February, 2018.

APPROVED this _____ day of _____, 2018.

Mayor of the City of Houston

Pursuant to Article VI, Section 6, Houston City Charter, the effective date of the foregoing Ordinance is FEB 13 2018.

[Signature]
City Secretary

(Prepared by Legal Dept.
(BJP/TE /01/26/18)

[Signature]
Senior Assistant City Attorney

(Requested by Tom McCasland - Director, Housing and Community Development Department)

FUND REF:

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AYE	NO	
✓		MAYOR TURNER
....	COUNCIL MEMBERS
✓		STARDIG
✓		DAVIS
✓		COHEN
✓		BOYKINS
ABSENT		MARTIN
ABSENT ON PERSONAL BUSINESS		LE
✓		TRAVIS
✓		CISNEROS
✓		GALLEGOS
✓		LASTER
✓		GREEN
✓		KNOX
✓		ROBINSON
✓		KUBOSH
✓		EDWARDS
✓		CHRISTIE
CAPTION	ADOPTED	

MAY 017 Rev. 12/15